

Remarks/Arguments:

Claim Amendments

Claim 1 is amended to incorporate the terms "R¹" and "R³" from original claim 2 and the term "X" from claim 3. Support for these amendments can be found in the original claims 2 and 3. The term "Ar" of Claim 1 is amended to improve readability. Claims 2 and 3 are amended to make them more concise in view of the amendment to claim 1. Claim 12 is amended as suggested by the Examiner. Claim 13 is cancelled without prejudice.

35 U.S.C. §112, Second Paragraph Issues

Claims 1-7 and 12-17 were rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants respectfully traverse this rejection as far as it applies to the amended claims.

Specifically, the Examiner rejected the terms of R¹, R³, Ar and X in claim 1. The terms R¹, R³ and X of claim 1 have been amended and should overcome the Examiner's rejection. Applicants further submit that term "Ar" is clear and that it is a C₄₋₁₂ aromatic group, which is also a C₄₋₁₂ aromatic ring, since it is well known that an aromatic group must contain a ring structure. Therefore, withdrawal of this rejection is respectfully requested.

Claim 12 was rejected by the Examiner as being self-conflicting. Even though Applicants did not agree with the Examiner, to expedite the examination process, Applicants amended the claim 12 as suggested by the Examiner. Withdrawal of this rejection is respectfully requested.

35 U.S.C. §112, First Paragraph Issues

Claim 13 was rejected by the Examiner under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Even though Applicants did not agree with the Examiner, to expedite the examination process, Applicants canceled claim 13. Withdrawal of this rejection is respectfully requested.

35 U.S.C. §102(b) Issues

Claim 1 was rejected under 35 U.S.C. §102(b) as being anticipated by Desarbre et al., Tetrahedron, Vol. 53, pages 3637-3648; Mahboobi et al., Journal of Medicinal Chemistry, 2001, Vol.44, pages 4535-4553; and Beckers et al (WO01/82909) because of their disclosures of lists of compounds as shown by the Examiner in the Office Action dated Feb. 13, 2007.

Applicants respectfully submit that the amended claim 1 requires R³ not being hydrogen. In contrast, all the compounds listed by the Examiner have their R³ positions being hydrogen. Therefore, Applicants submit that the amended claim 1 is not anticipated by the compounds shown by the Examiner and withdrawal of the rejection is respectfully requested.

Having now responded to all of the Examiners' rejections, Applicants believe the application is in condition for allowance, which action is respectfully requested.

A petition for a three month extension of time is being filed herewith, the Commissioner is hereby authorized to charge any deficiency in the fees or credit any overpayment to deposit account No. 26-0166, referencing Attorney Docket No. 101022-1P US.

Respectfully submitted,
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